

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

BILLY MULLINS, )  
                        )  
Plaintiff,         )  
                        )  
vs.                   ) 1:08-cv-1253- SEB-TAB  
                        )  
MACLEN & ASSOCIATES, INC., )  
                        )  
Defendant.         )

**ORDER ON PLAINTIFF'S  
MOTION TO ENFORCE SETTLEMENT AGREEMENT**

This matter is before the Court on Plaintiff's motion to enforce settlement agreement [Docket No. 21], which was filed on April 15, 2009. A day earlier, on April 14, Defendant's counsel sought leave to withdraw, citing a lack of cooperation from their client. [Docket No. 20.] A conference was held on May 7, 2009, to address these two motions and a representative of Defendant Maclen & Associates, Inc. was ordered to participate. [Docket No. 22.] Despite this order, Defendant failed to appear, and defense counsel's motion to withdraw was granted. Defendant was ordered to show cause why sanctions should not be imposed for a representative's failure to appear at the May 7th conference, and why Plaintiff's motion to enforce should not be granted. [Docket No. 23.] A representative of the Defendant was specifically referenced in the certificate of service. Defendant was given until May 27th to file a response to the order to show cause but, to date, nothing has been filed and no new counsel has appeared on behalf of the Defendant. Therefore, Plaintiff's motion to enforce settlement agreement is granted and

judgment shall issue in favor of the Plaintiff in the amount of \$4,000, consistent with the terms of the agreement set forth in Plaintiff's motion to enforce.

Dated: 06/24/2009



SARAH EVANS BARKER, JUDGE  
United States District Court  
Southern District of Indiana

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